

1960

c 15 Andrew Mercer Reformatory Act

Ontario

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CHAPTER 15

The Andrew Mercer Reformatory Act**1. In this Act,**Interpre-
tation

- (a) "Deputy Minister" means the Deputy Minister of Reform Institutions;
- (b) "inspector" means an inspector appointed under *The R.S.O. 1960, Penal and Reform Institutions Inspection Act*; c. 291
- (c) "Minister" means the Minister of Reform Institutions;
- (d) "reformatory" means The Andrew Mercer Ontario Reformatory for Females;
- (e) "regulations" means the regulations made under this Act. R.S.O. 1950, c. 17, s. 1; 1960, c. 2, s. 1

2. The Andrew Mercer Ontario Reformatory for Females is for the reception, detention and employment of such female offenders as are mentioned in this Act. R.S.O. 1950, c. 17, s. 2. Objects of
reformatory

3. The Lieutenant Governor in Council may appoint a superintendent, an accountant, a surgeon and such other officers as he deems necessary for the reformatory. R.S.O. 1950, c. 17, s. 3. Appointment
of officers

4. The Lieutenant Governor in Council may make regulations for the management and discipline of the reformatory and for prescribing the duties and conduct of the superintendent and officers and servants employed therein, which may include as part of the work thereof the visiting from time to time in Ontario of paroled and discharged inmates, with a view to continuing and prolonging the work of reformation through friendly and voluntary assistance and as to the diet, clothing, maintenance, employment, classification, instruction, discipline, correction, punishment and reward of persons detained therein. R.S.O. 1950, c. 17, s. 4. Regulations

Suspension
of officers

5.—(1) The Deputy Minister may summarily suspend any officer for misconduct, of which the Minister shall be at once notified, and the suspension shall continue until the pleasure of the Lieutenant Governor is known, and an inspector may, until such pleasure is intimated to him, cause any such officer so suspended to be removed beyond the precincts of the reformatory. R.S.O. 1950, c. 17, s. 5 (1); 1960, c. 2, s. 2 (1).

Idem

(2) It is the duty of the Deputy Minister to recommend the removal of any officer whom he deems incapable, inefficient or negligent in the execution of his duty or whose presence in the reformatory he deems injurious to the interests thereof, and the pay of every officer so suspended shall cease during the period of the suspension. R.S.O. 1950, c. 17, s. 5; 1960, c. 2, s. 2 (2).

Transfer
from jail
to refor-
matory

R.S.O. 1960,
c. 291

6. A female detained in a common jail under sentence of imprisonment for an offence against any Act of the Legislature may, by the direction and warrant of an officer designated under subsection 1 of section 9 of *The Penal and Reform Institutions Inspection Act*, be conveyed by a female bailiff appointed for that purpose from such common jail to the reformatory for the unexpired portion of the term of imprisonment to which she was sentenced or committed, and such female shall thereupon be imprisoned in the reformatory for the residue of the term and shall be subject to all the regulations of the reformatory. R.S.O. 1950, c. 17, s. 7; 1960, c. 2, s. 4.

Female
convict
may be
sentenced
to refor-
matory

7.—(1) The court before which any female is convicted under any Act of the Legislature of an offence punishable by imprisonment may sentence such female to imprisonment for an indefinite period not exceeding two years in the reformatory instead of the common jail.

Female
bailiff

(2) The female shall be conveyed to the reformatory by a female bailiff. R.S.O. 1950, c. 17, s. 8.

Re transfer
to jail may
be directed

8.—(1) An officer designated under subsection 1 of section 9 of *The Penal and Reform Institutions Inspection Act* may by warrant direct the removal from the reformatory back to the common jail of any female under sentence of imprisonment for an offence against any Act of the Legislature, and the female shall thereupon be conveyed to the common jail by a female bailiff. R.S.O. 1950, c. 17, s. 9 (1); 1960, c. 2, s. 5.

Officer to
deliver up
prisoners
for removal

(2) The superintendent of the reformatory, or the keeper of a common jail, having the custody of a female ordered to be removed shall, when required so to do, deliver her up

to the female bailiff who produces the warrant, together with a copy certified by the superintendent or jailer of the sentence and date of conviction as given to him on reception of the female into his custody. R.S.O. 1950, c. 17, s. 9 (2).

9. A female bailiff may convey to the reformatory a female sentenced or liable to be imprisoned therein and deliver her to the superintendent without any other warrant than a copy of the minute of the sentence taken from the records of the court before which she was tried and certified by the convicting justice or the clerk of the court, and the superintendent shall receive her into the reformatory and detain her there, subject to all the rules, regulations and discipline thereof, until the expiration of her sentence or until she is otherwise discharged in due course of law. R.S.O. 1950, c. 17, s. 10.

Copy of
sentence
sufficient
warrant

10. The female bailiff shall give a receipt to the superintendent or jailer for the prisoner, and shall thereupon without delay convey and deliver her with the certified copy into the custody of the superintendent of the reformatory or of the jailer of the jail mentioned in the warrant, who shall give to such bailiff a receipt in writing for her, and the prisoner shall be kept in custody in such reformatory or jail until the expiration of her sentence, or until she is otherwise discharged in due course of law, unless she is in the meantime again removed under competent authority. R.S.O. 1950, c. 17, s. 11.

Officer to
give and
take receipt
for
prisoner

11. The superintendent is the chief executive officer of the reformatory and as such has, under the direction of the Deputy Minister, the execution, control and management of its affairs, subject to the regulations, and the superintendent is responsible for the faithful and efficient administration of the offices of every department of the reformatory. R.S.O. 1950, c. 17, s. 12; 1960, c. 2, s. 6, *amended*.

Powers and
duties of
superin-
tendent

12. The accountant shall give security to the satisfaction of the Minister and for such amount as the Minister directs for the faithful performance of the duties of the office. R.S.O. 1950, c. 17, s. 13.

Security by
accountant

13.—(1) No officer or employee of the Department of Reform Institutions shall, either in his own name or in the name of or in connection with or as the agent of any other person, provide, furnish or supply any materials, goods or provisions for the use of the reformatory, or be concerned, directly or indirectly, in furnishing or supplying the same or in any contract relating thereto. R.S.O. 1950, c. 17, s. 14 (1); 1960, c. 2, s. 7.

Officers not
to be
interested
in any
contract

Offence

(2) Every person who contravenes any of the provisions of this section is guilty of an offence and on summary conviction is liable to a fine of \$1,000. R.S.O. 1950, c. 17, s. 14 (2), *amended*.

Officers not to engage in trade, etc., in the reformatory

14. No officer or employee of the Department of Reform Institutions shall buy from or sell to any inmate in the reformatory anything whatever, or take or receive to his own use or for the use of any other person any fee, gratuity or emolument from any inmate or visitor or any other person, or employ any inmate in working for him. R.S.O. 1950, c. 17, s. 15; 1960, c. 2, s. 8.

Prohibition of liquors and drugs
R.S.O. 1960, c. 217

15.—(1) Except under the regulations, no morphia, cocaine or other narcotic drug, and no intoxicating liquors within the meaning of *The Liquor Control Act* shall on any pretence whatever be brought into the reformatory for the use of any officer or employee or person in the institution or for the use of any inmate therein.

Offence

(2) Every person, other than an officer of the reformatory acting under the regulations, who gives any intoxicating liquors, morphia, cocaine or other narcotic drug, and every officer, employee or other person who gives or conveys tobacco in any form to any inmate is guilty of an offence and on summary conviction is liable to a fine of \$40. R.S.O. 1950, c. 17, s. 16.

Beneficial labour

16. The reformatory shall be furnished with all requisite means for enforcing the performance of beneficial labour by the inmates thereof. R.S.O. 1950, c. 17, s. 17.

Reformatory, what to include

17. All the land enclosed and used in connection with the reformatory building shall be deemed to be part of the reformatory. R.S.O. 1950, c. 17, s. 18.

Inmates not to be discharged on Sunday

18. When the term of imprisonment of an inmate expires on a Sunday, she shall be discharged on the previous Saturday unless she desires to remain until the following Monday. R.S.O. 1950, c. 17, s. 19.

Detention of inmate if labouring under certain diseases

19. No inmate shall be discharged at the termination of her sentence or transferred from the reformatory to a jail if she has syphilitic or other venereal disease, or any contagious or infectious disease, or is suffering from any acute or dangerous illness, but she shall remain in the reformatory until the surgeon certifies to the Deputy Minister that she has recovered from the disease or illness, and any inmate so remaining shall be under the same discipline and control as if her sentence were still unexpired. R.S.O. 1950, c. 17, s. 20; 1960, c. 2, s. 9.